

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

|                                |   |                                |
|--------------------------------|---|--------------------------------|
| JENNIFER TIERNEY,              | ) |                                |
|                                | ) |                                |
| Plaintiff,                     | ) |                                |
|                                | ) |                                |
| v.                             | ) | Case No. 3:14-cv-00019-MJR-PMF |
|                                | ) |                                |
| CITY OF ALTON, ALTON POLICE    | ) |                                |
| DEPARTMENT, and SCOTT WALDRUP, | ) |                                |
|                                | ) |                                |
| Defendants.                    | ) |                                |

**DEFENDANTS' NOTICE FOR REMOVAL OF ACTION**

Now come the defendants, CITY OF ALTON (incorrectly sued as City of Alton and Alton Police Department) and SCOTT WALDRUP, by and through their undersigned attorneys, PIERCE LAW FIRM, P.C., and hereby respectfully represent unto the Court as follows:

1. On December 20, 2013, plaintiff in the above-captioned action instituted a civil action against the petitioners, City of Alton, Alton Police Department, and Scott Waldrup, defendants in said action, in the Circuit Court of the Third Judicial Circuit, Madison County, Illinois, by filing a Complaint, a copy of which is attached hereto and marked Exhibit "A" and incorporated by reference herein.

2. Thereupon service was made upon the City of Alton and Scott Waldrup on December 31, 2013.

3. Plaintiff contends that her civil rights were violated and bases her cause of action on Title VII.

4. This Court has original jurisdiction over civil actions arising under the laws of the United States, pursuant to 28 U.S.C. §1331 and §1441. This action, and the claims and causes of action sued upon therein, are of a civil nature of and over which the District Court of the United States for the Southern District of Illinois, possesses and has concurrent jurisdiction with the

Circuit Courts of Illinois by virtue of the provisions of the Constitution of the United States of America, and the Acts of Congress of the United States of America, in such case made and provided. This Court has supplemental jurisdiction to hear and decide the state law claims.

5. This Notice of Removal is filed within thirty (30) days after receipt by this Petitioner of a pleading from which it may first be ascertained that the case is one which has become removable, pursuant to 28 U.S.C. §1446(b), and a true and correct copy of all process pleadings and orders now on file in said Circuit Court are attached hereto as Exhibits “A” and “B”.

6. This Court has original jurisdiction under 28 U.S.C. §1331 and §1441 and said cause is removable to this Court by virtue of the provisions of 28 U.S.C. §1331 and §1441.

WHEREFORE, the Petitioners, CITY OF ALTON (incorrectly sued herein as City of Alton and Alton Police Department) and SCOTT WALDRUP, pray that this Petition be granted and that said action be removed in its entirety from the Circuit Court of the Third Judicial Circuit, Madison County, Illinois, to this District Court of the United States for the Southern District of Illinois, as provided by law.

Respectfully Submitted,

By: s/Charles A. Pierce

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**CERTIFICATE OF SERVICE**

I hereby certify that on January 8, 2014 I electronically filed a NOTICE FOR REMOVAL OF ACTION on behalf of the defendants, CITY OF ALTON and SCOTT WALDRUP, with the Clerk of Court using the CM/ECF system which will send notification of such filing(s) to the following:

Christopher B. Hunter  
Emily J. Johnson  
Hunter & Johnson, P.C.  
5213 Mae Drive, Suite B  
Godfrey, IL 62035

Respectfully submitted,

s/CHARLES A. PIERCE

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